

Remarks

Claims 1, 8, 10, 27-29 and 33 have been amended, claim 15 has been canceled, and new claims 42-45 have been added. Review and reconsideration in view of the amendments and the remarks below are respectfully requested.

Claims 1, 2, 4-11, 13-18, 21-36 and 38-41 are rejected as being anticipated by U.S. Pat. No. 6,837,346 to Hollingsworth. Accordingly, claim 1 has been amended to add further clarity to specify that the pocket includes a front panel and a rear panel, and has a mouth. Claim 1 has also been amended to specify that the binder includes a releasable fastening mechanism positioned on or between the front panel and the first cover to releasably join the front panel and the first cover. Claim 1 also specifies that the releasable fastening mechanism extends generally along the mouth and two sides of the pocket to control access to the pocket. For example, the fastening mechanism is illustrated as a zipper 54 in Figs. 1 and 2 of this application.

In contrast, the Hollingsworth reference discloses cooperating patches of fastener elements 43, 43' (i.e. made of hook and loop material) to attach the panel 28 to the front wall 16. However, the patches 43, 43' do not: 1) extend generally along the mouth; 2) extend generally along two sides of the pocket; or 3) control access to the pocket. As to the first point, the patches 43, 43' of Hollingsworth are significantly spaced away from the mouth of the pocket 86. As to the second point, it is even more clear that the patches 43, 43' do not extend along two sides of the pocket 86 of Hollingsworth. Finally, as to the third point the patches 43, 43' of Hollingsworth do not control access to the pocket 86; instead, that feature is provided a closure 92 which is entirely distinct and separate from the patches 43, 43'. Accordingly, it is submitted that amended claim 1 distinguishes over the Hollingsworth reference.

Independent claim 22 specifies that the binder includes a first releasable fastening mechanism positioned on or between the first panel of the pocket and the first cover to releasably join the first panel and the first cover. Claim 22 also specifies that the binder includes a second releasable fastening mechanism positioned on or between the second panel of the pocket and the first cover, to releasably join the second panel and the first cover. For example, the first releasable fastening mechanism can take the form of the zipper 54 shown in Figs. 1 and 2 of this application. The second fastening mechanism can take the form of the patches 64, 66 of hook-and-loop fastening materials (as shown in Fig. 4).

In contrast, the Hollingsworth reference lacks at least the claimed second releasable fastening mechanism. While the patches 43, 43' of Hollingsworth may be argued to releasably join the first panel to the first cover 16, Hollingsworth device lacks any structure which releasably joins the second panel 88 of the pocket 86 of Hollingsworth to the cover 16.

It should be noted that page 4, last two lines - page 5, first line of the Office action, it is indicated that the panel 88 of the pocket of Hollingsworth is releasably attachable to the second side of the first cover (16) by fastening elements 94, 94'. However, the fastening elements 94, 94' of Hollingsworth (shown in Fig. 3) are merely part of the closure structure of the pockets, and serve to hold the pockets 86 in a closed position (see column 14, lines 8-21 of Hollingsworth). The fastening elements 94, 94' do not releasably join the panel 88 and the cover 16; instead, the fastening elements 94, 94' attach closure 92 (which is carried on panel 28) to the panel 88. Thus it is submitted that amended claim 22 distinguishes over the Hollingsworth reference.

Moreover, claim 22 also specifies that the binder includes a pocket coupled to the first cover and generally received in the opening. The pocket includes a first panel and a second panel defining a pocket cavity therebetween. The first panel (i.e., in one embodiment, panel 40 of Fig. 2 of this application) is releasably attached to the first side of the first cover (12) (i.e., in one embodiment, by a zipper 54). Claim 22 also specifies that the second panel (i.e., in one embodiment, panel 42 of Fig. 4) is releasably attachable to the second side of the first cover (i.e., see, in one embodiment, hook-and-loop patches 64, 66 in Fig. 4). Thus, claim 22 specifies that the first and second panels of the pocket are attachable to opposite sides of the first cover.

In contrast, the panels 28, 86 of the pocket shown in Fig. 2 of Hollingsworth are not coupled to opposite sides of the front cover 16. Instead, panel 86 is coupled to the panel 28, which is in turn coupled to the front cover 16.

It is possible that the Office action may be taking the position that through a variety of indirect connections, the subject matter of claim 22 is shown in Hollingsworth. Accordingly, new claim 32, which depends from claim 22, has been added. New claim 32 specifies that the first panel is directly releasably attachable to the first side of the first cover, and that the second panel is directly releasably attachable to the second side of the first cover.

Claim 26 has been amended to specify that the pocket includes a front panel and a rear panel defining a pocket cavity therebetween, wherein each panel is independently pivotable

relative to the other. In contrast, with reference to the pocket 86 of Hollingsworth, it can be seen that panel 88 is directly coupled to panel 28 along attachment line 89. Accordingly, the panels 88, 28 are not independently pivotable relative to each other. For example, if panel 28 is pivoted, then panel 88 is also necessarily pivoted. New claim 45, which depends from claim 26, specifies that one panel can be pivoted without the other pivoting, to further distinguish over Hollingsworth reference. Support for the amendment to claim 26 and for new claim 45 can be found in, for example, page 4, lines 1-21, page 5, lines 6-30 and Figs. 2-4. Thus it is submitted that claim 26 distinguishes over Hollingsworth.

Independent claim 34 specifies that the inner pocket panel includes a protruding portion that protrudes outwardly beyond the opening to prevent the inner pocket panel from being pulled through the opening. For example, as can be seen in Fig. 4 of this application, rear panel 42 has size greater than the opening 34 of the front cover to prevent the rear panel 42 from being pulled through the opening 34 (see page 4, lines 22-28).

In contrast, the Hollingsworth reference does not show this feature. Instead, the panel 88 is clearly smaller than the opening 30, as shown in Fig. 2. In addition, Hollingsworth explicitly discloses the inner panel 88 pulled through the opening 30 in Fig. 2, thereby directly contravening the language of claim 34.

Claim 35 depends from claim 34 and specifies that the inner pocket panel is larger than the opening around generally the entire perimeter thereof, which is also clearly not shown in Hollingsworth. Claim 36 depends from claim 34 and specifies that the outer pocket panel has generally the same outer dimension as the component. In contrast, the outer pocket panel 28 of Hollingsworth clearly does not have the same dimension as the component 16.

New claims 42-44 depend from claim 1 and further distinguish over the Hollingsworth reference.

Accordingly, it is submitted that the application is in a condition for allowance, and a formal notice thereof is respectfully solicited.

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension. The Commissioner is authorized to charge any

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additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

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